IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DEREK KHANNA, individually and derivatively on behalf of Shimbly Corporation,))
Plaintiff,)
v.) Case No. 21-cv-5752
KATELYNN BANKS, ISELLMLS.COM, INC. d/b/a CINDY BANKS TEAM, CINDY BANKS, TONY BANKS, PAMELA CARY, RICHARD CARY, EIRIK SOMERVILLE, MARYAM HUSSEIN,)) Hon. Judge Virginia M. Kendall) Magistrate Judge Keri Holleb-Hotaling))
Defendants, and)
SHIMBLY CORPORATION, a Delaware Corporation,)))
Nominal Defendant.	,)

DEFENDANTS' KATELYNN BANKS, ISELLMLS.COM, INC., CINDY BANKS, TONY BANKS, AND SHIMBLY CORPORATION MOTION TO DISMISS

Defendants', Katelynn Banks, ISellMLS.com, Inc., Cindy Banks, Tony Banks, and Shimbly Corporation, pursuant to Rule 12(b)(6) and Rule 23.1 of the Federal Rules of Civil Procedure, hereby move to dismiss all claims asserted against them in Plaintiff's First Amended Verified Complaint. In support of their motion, Defendants submit their Memorandum of Law, which is fully incorporated by reference herein.

WHEREFORE, Defendants, Katelynn Banks, ISellMLS.com, Inc., Cindy Banks, Tony Banks, and Shimbly Corporation, respectfully request that this Court grant the instant Motion and dismiss all claims asserted against them in the First Amended Verified Complaint, and grant such other and further relief that the Court deems just and proper.

Dated: February 20, 2024

Katelynn Banks, ISellMLS.com, Inc., Cindy Banks, Tony Banks, and Shimbly Corporation

By: /s/ Mitchell J. Edlund

One of their attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2024, a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record via the Court's CM/ECF automated filing system.

/s/ *Mitchell J. Edlund*Mitchell J. Edlund

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